

MAY 29 2007

DOCKET NO. P05827
SERIAL NO. 10/803,273
PATENT**REMARKS**

Claims 1-12 and 21-28 were pending in this application.

Claims 1-4, 6-10, and 12 have been rejected.

Claims 5 and 11 have been objected to.

Claims 1, 7, and 21 have been amended as shown above.

Claims 5 and 11 have been cancelled.

Claims 1-4, 6-10, 12, and 21-28 remain pending in this application.

Reconsideration and full allowance of Claims 1-4, 6-10, 12, and 21-28 are respectfully requested.

I. FINALITY OF OFFICE ACTION

The Patent Office has not examined Claims 21-28. Claims 21-28 were added in the Applicant's response filed on July 31, 2006 and the Request for Continued Examination filed on August 30, 2006. As a result, Claims 21-28 were properly added to this application and should have been examined. However, two Office Actions have been issued (including this final Office Action), and neither Office Action has examined Claims 21-28. Because the Patent Office has not examined all pending claims, this Office Action cannot be made final.

II. ALLOWABLE CLAIMS

The Applicant thanks the Examiner for the indication that Claims 5 and 11 are allowable. The Applicant has amended Claims 1 and 7 to incorporate the elements recited in Claims 5 and

DOCKET No. P05827
SERIAL No. 10/803,273
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11. As a result, the Applicant respectfully submits that Claims 1 and 7 are patentable. For similar reasons, the Applicant respectfully submits that Claim 21 is patentable. Accordingly, the Applicant respectfully requests full allowance of Claims 1, 7, and 21 (and their dependent claims).

III. REJECTION UNDER 35 U.S.C. § 103

The Office Action rejects Claims 1-4, 6-10, and 12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,825,078 to Huang ("*Huang*") in view of U.S. Patent No. 5,945,704 to Schrems et al. ("*Schrems*"). This rejection is respectfully traversed.

As noted above in Section II, Claims 1 and 7 have been amended to incorporate the elements recited in Claims 5 and 11, respectively. The Office Action indicates that Claims 5 and 11 are patentable. As a result, Claims 1 and 7 are patentable over the proposed *Huang-Schrems* combination.

Accordingly, the Applicant respectfully requests withdrawal of the § 103 rejection and full allowance of Claims 1-4, 6-10, and 12.

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MAY 29 2007

DOCKET NO. P05827
SERIAL NO. 10/803,273
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SUMMARY

The Applicant respectfully asserts that all pending claims in this application are in condition for allowance and respectfully requests full allowance of the claims.

If any outstanding issues remain or if the Examiner has any suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@munckbutrus.com*.


The Commissioner is hereby authorized to charge any fees connected with this communication (including any extension of time fee) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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